

# *Documents on Diplomacy: The Source*

## *The Embargo Act 1807*

**E**MBARGO.  
Agreeably to the notice given yesterday; Mr. SMITH, of Maryland asked and obtained leave to bring in a bill in addition to the act, entitled "An act laying an, embargo on all ships and vessels in the ports and harbors of the United States," and the several acts supplementary thereto, and for other purposes; and the bill was read; and ordered to the second reading. The bill is as follows:

Be it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That during the continuance of the, act laying an embargo on all ships and vessels in the ports and harbors of the United States, no vessels of any description whatever, and wherever bound, whose employment is confined to the navigation of bays, sounds, rivers, and lakes, within the jurisdiction of the United States, (packets, ferry-boats, and vessels, exempted from the obligation of giving any bond whatever, only excepted,) shall be allowed, to depart from any port of the United States without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure, a manifest of the whole cargo on board, including articles of domestic growth or manufacture, as well as foreign merchandise. And it shall also be the duty of the owners agents, or factors of every such vessel to produce within one month thereafter, to the collector of the district from which the vessel departed, a certificate of the landing of the whole of such cargo in a port of the United States, within the bay, sound, rivers, or lakes, to which the navigation of such vessel is confined, signed by the collector or surveyor, of the port, where the cargo shall have been landed.

**SEC. 2.** And be it farther enacted, That if any vessel described in the next preceding section, shall depart from a port of the United States without a clearance, ,or before the manifest of the cargo shall have been delivered to the collector or surveyor, in the manner therein prohibited, or if a certificate of the landing of the cargo shall not be produced within the time and in the manner therein provided; such vessel and cargo shall be forfeited, and the owner or owners, consignee, agent, factors, freighters, master or skipper of such vessel, shall respectively forfeit and pay a sum not exceeding thousand dollars, nor less than thousand dollars: Provided always, That nothing herein contained shall be construed to bar or prevent

the recovery of the penalty on the bond given for each vessel.

**SEC. 3.** And be it further enacted, That (luring the continuance of the act, laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, it shall be the duty of the master or person having charge or command of any vessel, flat, or boat, intended to that part of the river Mississippi, which lies between the southern boundary of the Mississippi Territory, and the river Iberville, if going down the said river, to stop at Fort Adams, and if going up the river, to stop at Iberville, and at each place, as the case maybe, to deliver to an inspector of the revenue, to be stationed there for that purpose, a manifest of the whole cargo on board, and also to produce within two months thereafter to the same officer, a certificate of the landing of the same in some port of the District of Mississippi, and within the jurisdiction of the United States; which certificate shall be signed by the collector or one of the surveyors of the District of Mississippi, or if the cargo shall be landed more than thirty miles from the place of residence of any such officer, by a State Or Territorial judge, having jurisdiction, at the place of such landing.

**SEC. 4.** And be it further enacted, That if any vessel, flat, or boat, shall enter that part of the river Mississippi, as prescribed in the next preceding section, without stopping and delivering a manifest in the manner therein provided, or if a certificate of the landing of the cargo, shall not be produced within the time and in the manner therein provided, such vessel, flat, or boat, and cargo, shall be forfeited , and the owner or owners, consignee, agent, factors, freighters, master, or skipper, of any such vessel, flat, or boat, shall respectively forfeit and pay a sum not exceeding \_\_\_\_dollars, nor less than \_\_\_\_dollars.

**SEC. 5.** And be it further enacted, That no ship or vessel, having any cargo whatever on board, shall, during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, be allowed to depart from any port of the United States for any other port or district of the United States, adjacent to the territories, colonies, or provinces of a foreign nation: nor shall any clearance be furnished to any ship or vessel bound as aforesaid, without special permission of the President of the United States: And if any ship or vessel shall, contrary to the provisions of that act, proceed to any port or district adjacent to the territories,

colonies, or provinces of a foreign nation, such ship or vessel, with her cargo, shall be wholly forfeited; and if the same shall not be seized, the owner or owners, agents, factors, and freighters of such ship or vessel, shall for every such offence forfeit and pay -and the master of such ship or vessel, as well as all other persons who shall knowingly be concerned in such prohibited voyages, shall each respectively forfeit and pay for every such offence, whether the vessel be seized or not.

**SEC. 6.** And be it further enacted, That the commanders of the public armed vessels, and gunboats of the United States, shall, as well as commanders or masters of the revenue cutter's and revenue boats; be authorized, and they are hereby authorized, to stop and examine any vessel, flat, or boat, either on the high seas or within the jurisdiction of the United States, which there may be reason to suspect to be engaged in any traffic or commerce, or in the transportation of merchandise of either domestic or foreign growth or manufacture, contrary to the provisions of this act, or of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or of any of the acts supplementary thereto; and if upon examination it shall appear that such vessel, flat, or boat, is thus engaged, it shall be the duty of the commander to seize every such vessel, flat, or boat, and to send the same to the nearest port of the United States for trial.

**SEC. 7.** And be it further enacted, That the Comptroller of the Treasury be, and he is hereby authorized to remit the duty accruing on the importation of goods of domestic produce, or which being of foreign produce, had been exported without receiving a drawback, which may have been or may be re-imported in vessels owned by citizens of the United States, and which having sailed subsequent to the first day of October last, and prior to the twenty-

second day of December last, may be or have been stopped on the high seas by foreign armed vessels, and by reason thereof have returned, or may Hereafter return into the United States, without having touched at any foreign port or place. And the said Comptroller is likewise authorized to direct the exportation bonds given for foreign merchandise exported with privilege of drawback, in such vessel, and re-exported in the same, in the manner aforesaid, to lie cancelled, the duties on such re-importation being previously paid and on such other conditions and restrictions as may be necessary for the safety of the revenue.

**SEC. 8.** And be it further enacted, That during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, no foreign ship or vessel shall go from one port in the United States to another; and should any foreign ship or vessel, contrary to this section, go from one port of the United States to another the vessel with her cargo shall be wholly forfeited, and the owner or owners, agent, factors, freighters, and master of such ship or vessel, shall forfeit and pay a sum not exceeding \_\_\_\_dollars, nor less than \_\_\_\_dollars. ■

### *Source*

*The Napoleon Series*, [www.napoleon-series.org](http://www.napoleon-series.org)

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